



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities."

**Board Members**

Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

## **FORMAL MEETING MINUTES**

### **BOARD OF SUPERVISORS**

### **MARICOPA COUNTY, ARIZONA**

(and the Boards of Directors of the Flood Control District, Library District, Stadium District, Improvement Districts and/or Board of Deposit)

**Table of Contents**

<b><u>Board</u></b>	<b><u>Page</u></b>
Board of Supervisors	1
Improvement District	32
Flood Control District	33
Library District	36
Stadium District	38
Board of Deposit	No Meeting

**Wednesday, August 5, 2009**

**9:00 AM**

**1. INVOCATION**

Dr. Rodrigo Silva, Assistant County Manager, gave the invocation.

**2. PLEDGE OF ALLEGIANCE**

Will Barnow, Public Relations, led the assemblage in the Pledge to the Flag.

**3. ROLL CALL**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, August 05, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

**BOARD OF SUPERVISORS**

**4. PET SHOWCASE BY MARICOPA COUNTY ANIMAL CARE AND CONTROL**

Aprille Hollis, Animal Care and Control, reported that with the Board's support and that of the Friends of Animal Care and Control, 20,000 spay surgeries through the spay-neuter voucher program had been performed during the last fiscal year. She thanked the Board for their continuing animal care support.

She then introduced Mia, a two-year old Chihuahua who is "fine with big dogs, fine with cats and loves children." Mia has been spayed and is ready to be adopted. Supervisor Stapley said he "played with Mia before the meeting and highly recommended her" to any loving family wanting a new member.

**STATUTORY HEARINGS**

**Clerk of the Board**

**5. LIQUOR LICENSE APPLICATIONS**

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

**a. NEW LICENSE FOR ROYAL OAKS LIFECARE COMMUNITY**

Pursuant to A.R.S. § 4-201, approve an application filed by Kendra Joan Eberhart for a New Series 12 Liquor License for Royal Oaks Lifecare Community at 10015 Royal Oak Road, Sun City, AZ 85351. (AZ 12078060)(Supervisory District 4) (C-06-10-002-L-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

#### **Sheriff**

**6. AMENDMENT TO THE SUBGRANTEE AGREEMENT FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY – 444817-04**

Approve Amendment No. 1 to the Sub grantee Agreement from the Arizona Department of Homeland Security, Project Number: 444817-04. This amendment extends the expiration date of the Agreement from September 30, 2009 until August 31, 2010. The original Agreement was approved by the Board of Supervisors on November 18, 2008, (C-50-09-038-G-00) with term of October 1, 2008 through September 30, 2009. This amendment is for the term only as there are no additional funds. (C-50-09-038-G-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**7. ACCEPT GRANT FUNDS FROM THE CITY OF PHOENIX, PHOENIX OFFICE OF ARTS AND CULTURE**

Approve acceptance of up to \$2,000 in funding from the City of Phoenix, Phoenix Office of Arts and Culture, for the "Thoughtful Warrior" Youth Development Project. The term of this funding is July 1, 2009 through June 30, 2010. These funds will be used for the Sheriff's Office Juvenile Education Section to engage students in an arts education partnership with the Cultural Arts Coalition to develop programming to help reduce student recidivism.

The Sheriff's Office indirect cost rate for FY10 is 16.6%. Unrecoverable indirect costs associated with this funding are estimated to be \$332. The entire project cost is \$4,000 whereby, \$2,000 will be funded by the grant and \$2,000 by the Jail Education Entitlement fund (251/5930). (C-50-10-017-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**8. TEMPORARY RETENTION IN SERVICE OF UP TO 22 RED-LINED VEHICLES FOR 2009 HOLIDAY MALL PATROL**

Authorize Equipment Services to retain up to 22 serviceable vehicles scheduled to be red lined out of the Sheriff's Office fleet designation and allow them to remain as part of a temporary addition to the Sheriff's Office fleet so they can be used beginning November 27, 2009 through December 31, 2009, for holiday mall patrol. Fuel costs are estimated to be \$3,500 and will come from Sheriff's Office budgeted funds.

Approval of this item allows the Sheriff's Office to assemble a temporary fleet of enforcement vehicles in anticipation of increased activity at the malls throughout the valley during holiday shopping season and increased law enforcement presence. The vehicles will be returned to their former status and removed from service by December 31. (C-50-10-018-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**9. ONE-TIME ADDITION TO FLEET AND EXEMPTIONS FROM MARKINGS AND THE ISSUANCE OF NON-GOVERNMENT LICENSE PLATE OF ONE GRANT FUNDED 1-TON CREW CAB 4X4 TRUCK**

Approve a one-time addition to fleet of one 1-Ton Crew Cab 4X4 Truck valued at \$49,767.45. The Sheriff's Office was awarded funding designated for this purchase from the Arizona Department of Homeland Security Award Agreement 07-AZDOHS-444817-01, approved by the Board of Supervisors on December 3, 2008 (C-50-09-035-G-00).

Also, approve per A.R.S. 38-538.03 exemptions from markings and the issuance of non-government license plate. This vehicle will be used for enforcement disaster preparedness assignments where governmental anonymity is required to accomplish the mission. This vehicle is a white 2009 Ford F-350.

The estimated annual operating costs of this vehicle is \$5,500 to be supported through the Intelligence Bureau, Counter Terrorism/Homeland Security Division; General Fund (100). This is one-time addition to the fleet and the vehicle will be retired at the end of its useful life with no funding from the general fund for its replacement. This item was continued from the June 17, 2009 meeting.

NOTE: The Office of Management and Budget cannot recommend approval of this item until they have received the details of the Sheriff's Office vehicle fleet and had the opportunity to analyze the data.

NOTE: Addition of this vehicle to the County's fleet does not guarantee that the fleet will not be downsized in response to the complete fleet analysis currently underway, and the acquisition of this vehicle will be a factor in the analysis. The Sheriff's Office must absorb the operating costs of this vehicle within its current budget, and is expected to do so in a fashion that does not compromise public safety or detention operations. (C-50-09-084-M-00)

Motion to continue until further notice, by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**10. ONE-TIME ADDITION TO FLEET AND EXEMPTION FROM MARKINGS FOR RICO REPLACEMENT VEHICLE**

Approve a one-time addition to fleet of one RICO fleet replacement vehicle. This is a 2006 Chevy pick up seized in a MCNNET investigation. It will replace RICO vehicle #26, a 2000 Dodge Ram pick up. This vehicle will be used in undercover investigations and pursuant to ARS 38-538-03 and 28-2511 (a) also approve the issuance of non-governmental license plates and exemption from markings.

This vehicle will be retired at the end of its useful life with no funding from the general fund for its replacement.

RICO funds will be used to support operations and maintenance, estimated to be \$5,000 annually. Because this vehicle is replacing another RICO vehicle, there is no financial impact.

This item was continued from the June 17, 2009 meeting.

Note: The Office of Management and Budget cannot recommend approval of this item until they have received the details of the Sheriff's Office vehicle fleet and had the opportunity to analyze the data.

Note: Addition of this vehicle to the County's fleet does not guarantee that the fleet will not be downsized in response to the complete fleet analysis currently underway, and the acquisition of this vehicle will be a factor in the analysis. The Sheriff's Office must absorb the operating costs of this vehicle within its current budget, and is expected to do so in a fashion that does not compromise public safety or detention operations. (C-50-09-085-M-00)

Motion to continue until further notice, by: Supervisor Stapley, Seconded by: Supervisor Wilcox

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**11. ONE-TIME ADDITION TO FLEET AND EXEMPTIONS FROM MARKINGS AND THE ISSUANCE OF NON-GOVERNMENT LICENSE PLATES OF FOUR GRANT FUNDED 1-TON CREW CAB 4X4 TRUCKS**

Approve a one-time addition to fleet of four 1-Ton Crew Cab 4X4 Trucks valued at \$60,963.79 each (totaling \$243,855.16). The Sheriff's Office was awarded funding designated for this purchase from the Arizona Department of Homeland Security Award Agreement 07-AZDOHS-LETPP-444207-01, approved by the Board of Supervisors on December 3, 2008 (C-50-09-034-G-00). This item has undergone the needs justification process required by Office of Management and Budget prior to release.

Also, approve per A.R.S. 38-538.03 exemptions from markings and the issuance of non-government license plates. These vehicles will be used for enforcement disaster preparedness assignments where governmental anonymity is required to accomplish the mission. These vehicles are four gray 2009 Ford F-350 trucks.

The estimated annual operating costs of these vehicles is \$5,500 each (totaling \$22,000.00) to be supported through the Intelligence Bureau, Counter Terrorism/Homeland Security Division; General Fund (100). This is one-time addition to the fleet and these vehicles will be retired at the end of their useful lives with no funding from the general fund for there replacement. This item was continued from the June 17, 2009 meeting.

NOTE: The Office of Management and Budget cannot recommend approval of this item until they have received the details of the Sheriff's Office vehicle fleet and had the opportunity to analyze the data.

NOTE: Addition of this vehicle to the County's fleet does not guarantee that the fleet will not be downsized in response to the complete fleet analysis currently underway, and the acquisition of this vehicle will be a factor in the analysis. The Sheriff's Office must absorb the operating costs of this vehicle within its current budget, and is expected to do so in a fashion that does not compromise public safety or detention operations. (C-50-09-086-M-00)

Motion to continue until further notice, by: Supervisor Stapley, Seconded by: Supervisor Wilcox

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**12. ONE-TIME ADDITIONS TO FLEET OF TWO SEIZED BOX TRAILERS**

Approve temporary one-time additions to fleet of two seized and forfeited box trailers for use in the Sheriff's Office Mountain Patrol Division. These trailers will be used to deploy equipment and supplies in relief and rescue deployments and for mobile storage of emergency equipment.

These items have no motors. They will be hauled by existing fleet vehicles when needed and there is little or no additional operating cost anticipated with their operation. The enclosed trailers are white in color with the following VIN numbers: 1N9BV16258P159995 (2008 Navajo Enclosed Box Trailer) and AZ241180. (C-50-10-001-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Superintendent of Schools**

**13. INCREASE EXPENDITURE BUDGET - SUPERINTENDENT OF SCHOOLS**

Approve an expenditure budget increase to the Superintendent of Schools (370) County School Indirect Cost Fund (795) Non-recurring/Non-project (0001) in the amount of \$585,901.

County School Indirect Cost Fund revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-37-10-003-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**DEPUTY COUNTY MANAGER**

**Management and Budget**

**14. PERSONNEL AGENDA AND LUMP SUM MERIT AWARDS FOR MARICOPA COUNTY AND THE JUDICIAL BRANCH**

Approve the Maricopa County and Judicial Branch Personnel Agendas for the period of January 3, 2009 to July 15, 2009 and the 2009 One-Time Lump Sum Merit Awards consistent with the agenda item C-49-07-038-6-00 approved on April 18, 2007. The personnel agenda and Lump Sum Merit Awards are on file in the Office of the Clerk of the Board. (C-49-10-002-6-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Office of Enterprise Technology**

**15. DONATION FROM CALENCE/INSIGHT NETWORK SOLUTIONS FOR CONSULTING, ENGINEERING SERVICES, HARDWARE AND SOFTWARE**

Approve a donation from Calence/Insight Network Solutions for consulting, engineering services, hardware and software to Maricopa County via the Office of Enterprise Technology (OET) in support of evaluating and upgrading the Network Operations Center(s) with a value not-to-exceed \$527,000. Services consist of one level 1 engineer for a period of 12 months, one level 2 engineer for a period of 12 months, one NOC manager for a period of 12 months. In addition, Calence will evaluate and assist Maricopa County OET with upgrading existing hardware/ software network management tools as needed (up to \$80,000 of the estimated total value of \$527,000).

OET will provide indirect support via project management to provide technical direction and necessary accessibility and require no additional resources for this project.

This donation does not commit Maricopa County for any future encumbrances for business with Calence.

On April 18, 2007, the Board of Supervisors approved agenda C-41-07-012-1-00 for the purchase of equipment, Project Management, Business Analysts and Engineering staff, Professional Installation Services, Training, Disaster Recovery Location, and Cabling and Accessories for the upgrade to the network infrastructure in the Downtown Campus and Clustered Data Centers. This donation is in alignment with the direction of this project plan.

Through this donation, any hardware and software purchased by Calence and provided to Maricopa County as part of this donation will include four years of pre-paid support and maintenance. OET believes that this donation by Calence will be of significant help in positioning OET employees to gain the knowledge and tools needed to manage our Network Operations Center. After such time and upon completion of all upgrades, changes and recommendations, OET will have the necessary skills to operate the new NOC. (C-41-10-001-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Public Health**

**16. AMENDMENT TO IGA WITH THE UNIVERSITY OF ARIZONA, BOARD OF REGENTS FOR TRAINING DELIVERY**

Approve Amendment No. 2 to the Intergovernmental Agreement (IGA) with The University of Arizona, Board of Regents and Maricopa County through its Department of Public Health (MCDPH) Office of Preparedness and Response (OPR) formally known as Public Health Emergency Management Program (PHEM) for training delivery. Amendment No. 2 exercises the option in General Provisions, Section I, 24 RIGHT TO EXTEND CONTRACT, to extend the contract for an additional period of one year from August 10, 2009 through August 9, 2010. All other terms and conditions of the original IGA remain unchanged and in full force and effect. (C-86-09-067-3-02)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**17. IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES THROUGH THE ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS FOR EMERGENCY TRAINING**

Approve the Intergovernmental Agreement (IGA) with Arizona Department of Emergency and Military Affairs: Arizona Division of Emergency Management (ADEM); Preparedness Section and Maricopa County through its Department of Public Health (MCDPH) Office of Preparedness Response previously known as Public Health Emergency Management Program (PHEM) for training and exercise delivery. This IGA is in the amount not-to-exceed \$60,000 and will be effective upon execution by both parties and will remain in effect for five years thereafter.

Funding for this IGA are provided by a grant from ADHS and do not affect the county's general fund. This IGA will be absorbed within PHEM budget for the grant year ending August 9, 2009. (C-86-10-002-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**18. AMENDMENT TO SOLE SOURCE CONTRACT WITH THE ARIZONA PARTNERSHIP FOR IMMUNIZATION (TAPI) FOR BILLING IMMUNIZATIONS**

Approve Amendment No. 2 to the Sole Source Contract between The Arizona Partnership for Immunization (TAPI) and Maricopa County through its Department of Health Services (MCDPH). This amendment makes additions to Section III, Work Statement. All other terms and conditions of the original contract remain unchanged and in full force and effect. (C-86-09-046-3-02)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**19. SOLE SOURCE CONTRACT WITH OXFORD DIAGNOSTIC LABORATORIES FOR T-SPOT.TB TEST**

Approve a Sole Source contract between Oxford Diagnostic Laboratories and Maricopa County through its Department of Public Health (MCDPH) Clinical Services Division to provide T-Spot.TB testing services for the Refugee Clinic. The Sole Source contract term will be from July 1, 2009 to June 30, 2010, for the budget amount of \$250,000.

The estimated cost is based on volume and is subject to change based on the number of tests performed. The required advertisement for a Sole Source has been completed. (C-86-10-011-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**20. CONTRACT AWARD FROM ARIZONA DEPARTMENT OF HEALTH SERVICES FOR NEWBORN INTENSIVE CARE PROGRAM**

Approve Notice of Award for Contract No. (HP961245-005) between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health (MCDPH) for High Risk Perinatal Program/Newborn Intensive Care Program Community Nursing. The term of the contract shall commence on July 1, 2009 and continue for a period of three years. The contract award is in the amount not-to-exceed \$465,300 for the budget term beginning July 1, 2009 through June 30, 2010.



The Department of Public Health indirect rate for FY 2009-10 is 19.5%. Indirect Cost are estimated at \$75,928, all of which is fully recoverable.

Funding for this grant will be provided by ADHS and will not affect the County general fund. The actual grant award is lower than FY 2009-10 Adopted budget of \$699,574. A budget reduction for this grant will be included in the first true up agenda for appropriation adjustment. (C-86-10-008-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**21. IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR 7TH AVENUE WIC CLINIC BUILDING REPLACEMENT**

Approve the Intergovernmental Agreement (IGA) Contract No. (HG050026) between the Arizona Department of Health Services (ADHS) and Maricopa County and its Department of Public Health, Women, Infants and Children (WIC) Nutritional Services to provide modular building replacement for the 7th Avenue WIC Clinic site. The term shall be effective upon final signature and shall remain effective until one year thereafter, for a total amount of not-to-exceed \$870,800.

The Department of Public Health's FY 2009-10 indirect rate is 19.5%. Total indirect costs are estimated at \$11,533 all of which is recoverable. The contract total includes capital expenses for \$800,000 not subject to indirect costs.

Funds for this IGA are provided by ADHS and do not affect the County's general fund. (C-86-10-005-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**22. IGA WITH AZ DEPARTMENT OF ECONOMIC SECURITY FOR REFUGEE SCREENING MEDICAL ASSISTANCE PROGRAM**

Approve Intergovernmental Agreement (IGA) Contract (DE101038001) between the Arizona Department of Economic Security (DES) and Maricopa County by and through its Department of Public Health to provide grant funding for the Refugee Screening Medical Assistance Program. This IGA provides for an itemized service budget in the amount of \$148,039 for the term July 1, 2009 through June 30, 2010. This IGA also provides for Health Assessment services and states that payments rates shall remain the same as indicated under 7.0 Service Description, page two and three of the contract. The fee-based reimbursement is estimated to be \$1,851,961, bringing the total budget amount for this term to \$2,000,000.

Maricopa County Department of Public Health's FY 2009-10 indirect rate is currently 19.5%. This grant allows for full indirect; therefore, the estimated amount of \$326,360 is recoverable.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this IGA are provided by a grant from DES and does not affect the County's general fund. Of this amount \$1,400,000 was included in the FY 2009-10 recommended budget. (C-86-10-007-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

### **Animal Care & Control Services**

#### **23. DONATIONS FROM GARY HORN BROOK AND FROM KAREN MENNENGA**

Accept the monetary donations from Gary Hornbrook of Mesa, AZ in the amount of \$1,500; and, Karen Mennenga of Chandler, AZ in the amount of \$500 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-008-D-00)

Supervisor Brock thanked all donors to Animal Care and Control for their generous contributions.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **24. DONATION RECEIVED FROM ELIZABETH MARDINI**

Accept a monetary donation from Elizabeth Mardini of Mesa, AZ in the amount of \$500 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-009-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **25. AGREEMENT WITH HEALING HEARTS ANIMAL RESCUE AND REFUGE FOR NEW HOPE PROGRAM**

Approve an Agreement between Healing Hearts Animal Rescue and Refuge, a 501 (C) 3 corporation, 3317 S. Higley Road, Suite 114-481, Gilbert, AZ 85297, and Maricopa County to allow Healing Hearts Animal Rescue and Refuge under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 15 new hope rescues over the term of the agreement, for a total of \$600. The term of this Agreement is from August 5, 2009 through June 30, 2010. (C-79-10-002-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**26. AGREEMENT WITH FAITH'S ANIMAL RESCUE FOR NEW HOPE PROGRAM**

Approve an Agreement between Faith's Animal Rescue, a 501 (C) 3 corporation, 6326 W. Desert Cove Avenue, Glendale, AZ 85304, and Maricopa County to allow Faith's Animal Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 15 new hope rescues over the term of the agreement, for a total of \$600. The term of this Agreement is from August 5, 2009 through June 30, 2010. (C-79-10-003-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**27. ADDITION TO THE FLEET - MOBILE ADOPTION AND VACCINATION VEHICLE**

Approve an exemption from the capital freeze to purchase a mobile adoption and vaccination vehicle. And approve the addition of one Animal Care and Control mobile Adoption and Vaccination Vehicle to the Maricopa County fleet. Maddie's Fund has provided donations for the purchase of another adoption vehicle. This action will authorize the use of Animal Care and Control Donation Fund Balance (Dept 790 Fund 573) to pay for these one-time expenditures.

Annual operating expenses are expected to be \$7,500 and will be paid for out of the License/Shelter Fund (Dept 790 Fund 572). (C-79-10-011-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**28. KENNEL PERMIT FOR OLIVERA KENNELS**

Approve kennel permit #021 pursuant to A.R.S. §11-1009 for Susie Olivera, d.b.a. Olivera Kennels, 3440 E. Campbell Road, Gilbert, AZ 85234 in District 2 for the term of August 5, 2009 through August 4, 2010. The cost of a kennel permit is \$328. (C-79-10-004-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**29. KENNEL PERMIT FOR BEST FRIENDS KENNEL**

Approve kennel permit #022 pursuant to A.R.S. §11-1009 for Beverly Hamilton, d.b.a. Best Friends Kennel, 21721 S. 158th Street, Gilbert, AZ 85298 in District 1 for the term of August 5, 2009 through August 4, 2010. The cost of a kennel permit is \$328. (C-79-10-005-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**30. KENNEL PERMIT FOR CHAPMAN KENNELS**

Approve kennel permit #024 pursuant to A.R.S. §11-1009 for Nancy Chapman, d.b.a. Chapman Kennels, 4201 W. Tierra Buena Lane, Phoenix, AZ 85032 in District 4 for the term of August 5, 2009 through August 4, 2010. The cost of a kennel permit is \$328. (C-79-10-006-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**31. KENNEL PERMIT FOR H & D KENNELS**

Approve kennel permit #008 pursuant to A.R.S. §11-1009 for Donna Neill, d.b.a. H & D Kennels, 6112 W. Parkside Lane, Glendale, AZ 85310 in District 4 for the term of August 5, 2009 through August 4, 2010. The cost of a kennel permit is \$328. (C-79-10-007-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**32. KENNEL PERMIT FOR XISHAN KENNELS**

Approve kennel permit #025 pursuant to A.R.S. §11-1009 for Bruce Shane, d.b.a. Xishan Kennels, 7400 W. Mission Lane, Peoria, AZ 85345 in District 4 for the term of August 5, 2009 through August 4, 2010. The cost of a kennel permit is \$328. (C-79-10-010-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Community Development**

**33. OUTSTANDING LIABILITIES AND OBLIGATIONS REMAINING AFTER TERMINATION OF THE MARICOPA COUNTY SPORTS AUTHORITY**

In accordance with A.R.S. 11-706, authorize the Department of Finance to pay the outstanding liabilities and obligations of the Maricopa County Sports Authority (Authority) remaining after termination of the Authority on June 30, 2009, in a not-to-exceed amount of \$40,000.

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of not-to-exceed \$40,000 from the FY 2009-2010 Non-Departmental (470) General Fund (100) Unreserved Contingency (4711) Non-Recurring/Non-Project (0001) to a new line item in Non-Departmental (470) General Fund (100) Other Programs (4712) Non-recurring/Non-Project (0001) entitled Maricopa County Sports Authority for the payment of the above-referenced liabilities and obligations.

In addition, approve the transfer of surplus furniture and equipment, that have little or no value or that are unauctionable, to the Maricopa Sports Commission Foundation, a 501(c)(3) non-profit, non-governmental organization pursuant to A.R.S. §11-251(9).

On April 1, 2009, the Maricopa County Board of Supervisors adopted a resolution setting a public hearing to terminate the Authority, pursuant to A.R.S. §11-706, and approving the terms and conditions of the termination (C-20-09-045-7-00). At the public hearing on May 6, 2009, the Maricopa County Board of Supervisors determined that the Authority was no longer in the public interest, convenience or necessity and ordered the termination of the Authority to be effective June 30, 2009 (C-20-09-045-7-01).

Upon termination of the Authority on June 30, 2009, the County assumed all outstanding liabilities and obligations of the Authority, and acquired all assets of the Authority in accordance with A.R.S. §11-706.

Upon receipt and acceptance of the Authority's Fiscal Year 2009 audited financial statements and assets valuation by the Maricopa County Department of Finance, the

Authority's termination has been completed in accordance with the terms and conditions as set forth in the executed Termination Terms and Conditions Document approved on April 1, 2009 (C-20-09-045-7-00). (C-20-09-045-7-02)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Human Services**

### **34. CONTRACT WITH CATHOLIC CHARITIES COMMUNITY SERVICES FOR HEAD START/EARLY HEAD START SERVICES**

Approve Amendment No. 1 to the Contract (C-22-09-145-3-00) between Catholic Charities Community Services and Maricopa County, through its Human Services Department, the purpose of the amendment is to increase the contract amount to \$7,892,036 from the original contract amount of \$7,127,017. The \$765,019 increase consists of \$215,244 in Base Cost of Living Adjustment grant funding (C-22-09-134-G-01) and \$549,775 one-time funding in American Recovery and Reinvestment Act (ARRA) Cost of Living Adjustment and Quality Improvement grant funding (C-22-09-154-G-00) for Head Start and Early Head Start. These grant funds are provided by the U.S. Department of Health and Human Services (DHHS)/Administration for Children and Families (ACF)/Office of Head Start (OHS).

In addition, revise the Contract to add Federal ARRA grant requirements (Appendix E – ARRA in the attachment “FY09-10 Amendment 1-COLA-QI FINAL.doc”). The original contract term of July 1, 2009 through June 30, 2010 remains in effect. The effective date of this Amendment is July 1, 2009. All other terms and conditions of the contract remain in full force and effect.

Catholic Charities Community Services is an approved Head Start Delegate Agency (sub-recipient) for the provision of Head Start and Early Head Start services in the western part of Maricopa County. This contract does not include any County general funds.

Maricopa County has been the Grantee Agency providing Head Start services to areas of the County, outside the City of Phoenix, since 1966 and Early Head Start services since 1997. Services for Western Maricopa County have been provided by Catholic Charities Community Services, and the organization is designated by U.S. Department of Health and Human Services (DHHS) as a Delegate Agency of Maricopa County's Head Start Zero-Five Program. Catholic Charities' Head Start/Early Head Start program provides comprehensive child development and family support services 1,077 low-income children and their families (82 children aged 0-3 years and 995 children aged 3-5 years). Services include early childhood education and development, health, nutrition, social services, parent involvement, disabilities, and behavioral health services. Reimbursable funding is limited to the amount allocated by the DHHS on an annual basis and when notified of funding availability (Federal Financial Assistance Award). The contract requires Catholic Charities to provide a 25 percent match (non-federal share). There is no long-term commitment on the part of the County to operate this program. (C-22-09-145-3-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **35. MEMORANDUM OF UNDERSTANDING WITH NEHEMIAH HOUSE FOR DEVELOPMENT OF AN ACCESS POINT**

Approve the Memorandum of Understanding (MOU) between Nehemiah House and Maricopa County administered by its Human Services Department to establish Nehemiah

House as an Access Point.

An Access Point is defined as a faith-based or community based organization that will provide community residents with a location where job seekers can access abbreviated One Stop Career Center services.

This MOU is non-financial and is effective upon signature by both parties and will expire June 30, 2011.

In 2002, the U.S. Department of Labor (USDOL) invested in pilot programs to increase universal access to the One-Stop Career Center System, by building partnerships between faith-based and community organizations (FBCOs) and Workforce Investment Areas (WIA). The Access Point model emerged from these pilot programs. Access Points consists of faith-based or community organizations where job seekers can go in their own neighborhoods or communities to look for jobs. Maricopa County Human Services Department Workforce Development Division (MWC) established the SHARE Network Access Point program. MWC will work with FBCO to establish Access Points throughout Maricopa County.

Maricopa County, exclusive of the City of Phoenix, is a designated Workforce Investment Area under the federal Workforce Investment Act (WIA) of 1998. MWC operates two One Stop Career Centers under the Workforce Investment Act (WIA) of 1998. The partnership that will be developed with this MOU will allow Maricopa County residents that are unable to travel to a One Stop Career Center to access services through an access point that is located in the community.

The Access Point will provide employment-related services such as career exploration, skill assessment, resume writing and interviewing skills to job-seekers. Job seekers will be referred to the MWC One Stop Career Centers for more intensive case management as needed. The goal of Maricopa County's Workforce Investment Board, Maricopa Workforce Connections, is to provide a comprehensive workforce development system under which Maricopa County residents can access services. (C-22-10-013-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **CHIEF FINANCIAL OFFICER**

### **Finance**

#### **36. FUNDS TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**37. FILL THE GAP**

Certify by authority of A.R.S. § 41-2421 ( "Fill the Gap" legislation) (1) that total revenues received in Fiscal Year 2008-2009 by the Justice Courts and the Superior Court including the Clerk of Superior Court are greater than court revenues received in Fiscal Year 1997-98; and, (2) authorize the County Treasurer to immediately distribute the 2008-2009 revenue deposited with the Maricopa County Treasurer pursuant to A.R.S. § 41-2421 (amounting to five percent of total court revenues from fees) as follows: 21.61% to State Aid to County Attorney Fund \$1,067,843.66; 20.53% to State Aid to Indigent Defense Fund \$1,014,476.18; 57.37% to Local Courts Assistance Fund \$2,834,900.07; 0.49% to State Treasurer for Department of Law \$24,213.02. (C-18-10-025-2-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**38. GRANT AERIAL EASEMENT TO SALT RIVER PROJECT AT 67TH AVENUE AND GLENDALE**

Approve and authorize the granting of an aerial easement, without a public auction pursuant to A.R.S. 11-251 (9), in consideration of \$10.00, to Salt River Project Agricultural Improvement and Power District (SRP), its successors and assigns, to construct, operate and maintain overhead electric lines and appurtenant facilities over the surface of the County owned property at the southeast corner of 67th Avenue and Glendale Avenue, and also authorize the Chairman of the Board to execute all necessary documents approved by County Counsel to grant such easement. This item requires the unanimous consent of the board. (C-18-10-026-8-00)

Motion to approve on a unanimous roll call vote, by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Materials Management**

**39. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

**a. 06031-RFP, OUTSIDE AUDIT, ACCOUNTING AND CONSULTING SERVICES**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: August 05, 2009

Serial: 06031-RFP

Item: Outside Audit, Accounting And Consulting Services (\$6,500,000.00 estimate/three years until July 31, 2012) This action will renew this contract for three years. see attached summary (C-73-10-003-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. 08126-C, PLASTIC AND STYROFOAM PRODUCTS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 08126-C

Item: Plastic And Styrofoam Products (\$641,100.00 estimate/three year until August 31, 2012, with three one-year renewal option) Multiple Awards to the lowest priced, responsive, responsible Respondents.

Three year price agreement for Plastic and Styrofoam Products.

Finest Kind  
Epicurena Foods  
F & S Distributors  
Interboro Packaging Corporation  
Standard Restaurant Equipment Co. (C-73-10-004-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. 09021-ROQ, CONTRACT INDIGENT REPRESENTATION (JUVENILE) ATTORNEY SERVICES – OPDS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09021-ROQ

Item: Contract Indigent Representation (Juvenile) Attorney Services – OPDS (\$5,321,992.00 estimate / 10 Years until August 31, 2019, with 10 one-year renewal option) Recommendation for contract award which provides juvenile indigent representation, for a period of 10 years, as requested by the Office of Public Defense Services. See Attached Document 09021-Awardees 08-05-09 (C-73-10-006-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**d. 08132-C, DUST PALLIATIVE / STABILIZER**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 08132-C

Item: Dust Palliative / Stabilizer (\$600,000.00 estimate/three years until August 31, 2012, with three one-year renewal options) Price agreement for dust palliative/stabilizer and related items.



International Soil Technologies, LLC / SoilWorks (C-73-10-005-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**e. 08050-S, LANDFILL DISPOSAL SERVICES**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

Serial: 08050-S

Item: Landfill Disposal Services (\$120,000.00) Increase price agreement value from \$250,000.00 to \$370,000.00. This administrative action is taken to add funds to contract in Advantage. This will increase the contract's value by \$120,000 which will allow issuance of purchase order by Public Works. The contract is used by several County departments, so it has happened that departments have issued purchase orders, thus consuming the initial amount of funds in Advantage.

Allied Waste Services  
Waste Management (C-73-10-007-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**f. AMEND 09020-ROQ, CONTRACT INDIGENT REPRESENTATION (ADULT CRIMINAL) ATTORNEY SERVICES – OFFICE OF PUBLIC DEFENSE SERVICES**

Approve amending the action taken on July 22, 2009 regarding 09020-ROQ, CONTRACT INDIGENT REPRESENTATION (Adult Criminal) Attorney Services, to change the expiration date on the Contracts from August 31, 2019 to July 31, 2019. Each contract awarded provides adult indigent representation for a period of ten years (\$18,000,000), as requested by the Office of Public Defense Services. (C-73-10-001-7-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Parks and Recreation**

**40. FUNDING FROM NATIONAL RECREATION AND PARKS ASSOCIATION/NATIONAL ALLIANCE FOR ARCHERY PROGRAM**

Accept the funding from National Recreation and Parks Association/National Alliance for the Development of Archery, in the amount of \$500.00. These funds are awarded to grow and enhance existing archery programming for youth. The award program will end on December 31, 2009. Authorize the Parks Director to sign all documents related to these funds, as applicable. The Maricopa County Department of Finance has calculated the Parks and Recreation Department's indirect cost rate at 42.5%. The indirect cost of this grant would be \$212.50. The Parks and Recreation Department request a waiver to recoup any indirect costs associated with acceptance of the funds and requests that 100% of the \$500 award be utilized for direct expenses to enhance archery programming for youth. The Parks Department can absorb administrative costs within their FY10 budget.

The National Recreation and Park Association, in partnership with National Alliance for the Development of Archery initiated the After School Archery Program grant to expand new and existing archery programs for youth through park and recreation agencies. Utery Mountain Regional Park will use these funds for certification and equipment for an after school archery program. There are no matching funds required. (C-30-10-001-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

### **Air Quality Department**

#### **41. CREATION OF CLASSIFIED ENVIRONMENTAL SPECIALIST POSITION**

Approve the creation of one classified position in the Air Quality Department. This position request is necessary due to employee's participation in the Post Employment Health Enhancement (Retirement) Program (PEHPEP) which requires that their position be eliminated. The creation of a new position is necessary because of current demand for services.

The following position in the Air Quality Department was inactivated due to the incumbent's participation in the 2009 Retirement Health Enhancement Program. The position's current attributes are as follows:

PCN: 19127  
MRT: Environmental Specialist  
Status: Classified  
Budgeted Rate: \$22.77

Due to the nature of this position, the Air Quality Department finds it necessary to replace the position with a new position. The new position's attributes will be as follows:

MRT: Environmental Specialist  
Status: Classified  
Budgeted Rate: \$20.49

The Air Quality Department will achieve savings through creating and filling less costly positions. This will result in \$5,514 saved as required under the 2009 Retirement Health Enhancement Program. (C-85-10-003-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **42. AMENDMENT TO AGREEMENT WITH US ENVIRONMENTAL PROTECTION AGENCY TO MONITOR PM2.5**

Approve Amendment No. 1 and 2 to an Agreement between US Environmental Protection Agency and Maricopa County through the Air Quality Department in the not-to-exceed amount of \$135,360. These amendments are funded by a grant from US Environmental Protection Agency, PM-98954601-01 and PM-98954601-02. The purpose of amendment 1 is to extend the project and budget period end date from March 31, 2009 to March 31, 2010. The purpose of amendment 2 is to increase the federal funding by \$74,680. These amendments are effective from April 1, 2009 to March 31, 2010. All other terms and

conditions of the Agreement remain in full force and effect.

The FY2009-10 Air Quality composite indirect rate of 17.8% will be applied to the increase of \$74,680. Indirect costs of \$11,284 are fully recoverable.

The original grant, PM-98954601-00, performance period was April 1, 2008 through March 31, 2009 in the amount of \$60,680.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This item is included in the FY 2009-10 Air Quality approved budget. A budget adjustment is not required. This action does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S 42-17105.

This grant provides Federal funding in the amount of \$135,360; \$60,680 in FY 2008-09 and \$74,680 in FY 2009-10. This project will support the costs of maintaining air monitoring sites throughout Maricopa County. The monitoring of air quality will be accomplished through the data collection and analysis of fine particulate matter from these sites. (C-85-08-025-3-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Emergency Management**

### **43. EXECUTIVE COMPENSATION PACKAGE – ADDITIONAL LEAVE REQUEST**

Approve an Executive Compensation Package (ECP) for Pete Weaver, an unclassified Director in Emergency Management, authorizing a deposit of 80 hours of PTO and 80 hours of SCK to his leave balance(s) effective June 15, 2009.

If approved, this ECP agreement will authorize a deposit of 80 hours of PTO and 80 hours of SCK to Pete Weaver leave balance(s) effective June 15, 2009. This deposit of PTO and SCK time is part of the employment offer. (C-15-10-001-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Equipment Services**

### **44. IGA WITH THE MORRISTOWN ELEMENTARY SCHOOL DISTRICT #75 REGARDING COOPERATIVE USE OF FUEL**

Approve an Intergovernmental Agreement (IGA) between Morristown Elementary School District #75 and Maricopa County through the Equipment Services Department, in the not-to-exceed amount of \$50,000. The purpose of this Intergovernmental Agreement is for the School District to obtain fuel for its fleet of vehicles from the County. This Intergovernmental Agreement is effective from July 1, 2009 until June 30, 2010.

The extent of this agreement is one year. This agreement will allow Morristown School District # 75 to use County owned and managed fuel sites. The fuel sites most likely to be used by the School District are Lake Pleasant and an Equipment Services fuel site in Surprise. The additional use by the School District will not place an additional burden on our operations. (C-74-10-001-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

### **Facilities Management**

#### **45. TRADE-IN OF 2120 ANALYZER**

Pursuant to the Maricopa County Procurement Code, MC1-803, D.3., approve to trade-in one 2120 Analyzer, County Asset # F0108212 to Emerson Process Management for a credit of \$7,950.00 towards the purchase of a new model. The 2120 Analyzer is outdated and can no longer be supported by the manufacturer. The purchase price of the new model, A2130A2-TU22 Analyzer, is \$22,668, less the trade-in value.

The Maricopa County Procurement Code provides that surplus materials may be disposed of by trade-in with the approval of the Board of Supervisors.

The Facilities Management Department has one model 2120 (SN 20023530) analyzer that is used in performing Predictive Maintenance on high demand building systems. The trade in will be applied towards the purchase of the new analyzer with a cost of \$22,668, resulting in a balance of \$14,718, which will be absorbed within the Facilities Management Operating Budget. (C-70-10-002-2-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Public Works**

#### **46. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-10-028-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **47. IGA WITH THE STATE OF ARIZONA REGARDING AMERICAN RECOVERY AND REINVESTMENT ACT FUNDS FOR A COUNTYWIDE PAVEMENT PRESERVATION PROJECT**

Approve an intergovernmental agreement (IGA) with the State of Arizona, by and through the Arizona Department of Transportation, and Maricopa County through its Department of Transportation (MCDOT), regarding the acquisition and distribution of federal American Recovery and Reinvestment Act of 2009 (ARRA) funds for the use and benefit of Maricopa County for pavement preservation projects throughout Maricopa County. The IGA will be in effect from the date of recording by the Secretary of State and will remain in effect until the terms of the IGA are satisfied.

Amend the list of potential locations for MCDOT pavement preservation projects to be funded by ARRA funds approved by the Board of Supervisors on April 1, 2009 (item C-91-09-143-G-00) by adding sections of Fort McDowell Road, Mohave Road and Yavapai Road

to the list, as described in Attachment A. The revised estimated total project cost is \$6,480,000. The ARRA funds are established at the capped amount of \$6,469,193, and the balance of \$10,807 is to be funded with County Highway User Revenue Funds (HURF).

Authorize the acceptance and expenditure of additional ARRA funding if it becomes available and allocated by MAG to MCDOT for this project.

Approve the addition of Project Number T322, Asphalt Rubber Overlay ARRA, to the FY 2009-10 Pavement Preservation (PAVE) capital project bin in the Public Works Department (910) Transportation Capital Projects Fund (234).

Approve MCDOT's application to the Maricopa Association of Governments (MAG) for, and the receipt of, an additional \$518,436 in ARRA federal-aid highway funding to be used for pavement preservation projects, resulting in a maximum total amount of \$6,469,193 in ARRA funding to be used for pavement preservation projects throughout Maricopa County.

The Department of Transportation's indirect rate for FY 2009-10 is 19.7%.

The total grant amount is for capital expenditures which are not subject to indirect cost recovery.

The grant period begins on the date that the IGA is executed by the Secretary of State and continues through completion of the project.

Specifically, with the intention of utilizing the additional \$518,436 (if reprogrammed by MAG) for the joint benefit of Maricopa County and Fort McDowell, MCDOT would utilize a portion of its total ARRA funding for pavement preservation on one or more of the following roads within Fort McDowell's jurisdiction: Fort McDowell Road, Mohave Road and Yavapai Road. If this ARRA pavement preservation work in Fort McDowell Yavapai Nation does not require using the entire \$518,436, the remaining portion of those funds would be used for other MCDOT ARRA pavement preservation projects, and an equivalent amount of local MCDOT's HURF funding would be used to complete other non-ARRA transportation projects located in Fort McDowell's jurisdiction.

The revised estimated total project cost is \$6,480,000. The ARRA funds are established at the capped amount of \$6,469,193, and the balance of \$10,807 is to be funded with County funds.

The balance of \$10,807 that is required to complete the funding requirement for the Asphalt Rubber Overlay ARRA project is budgeted in the Transportation Capital Projects Fund (234), Pavement Preservation (PAVE) project bin reserve.  
Supervisory Districts, 1, 2, 3, 4, and 5 (C-91-10-004-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**48. AGREEMENT WITH SCHMIDT RANCH LLC FOR PROVISION OF WATER SERVICE FROM SEVEN SPRINGS WATER PONDS**

Approve the Exchange of Services Agreement between the County of Maricopa, acting through the Maricopa County Department of Transportation and Schmidt Ranch LLC, a private entity for the provision of water service from Seven Springs water ponds to service and maintain Seven Springs Road in the vicinity of the surrounding area. There is no direct cost associated for this service.

The owner of Schmidt Ranch, Terry Schmidt, will allow the County staff, acting through MCDOT Operations Division, to draw water from the Seven Springs water ponds for use by the County to service and maintain Seven Springs Road in the surrounding vicinity. In exchange, the County will provide a courtesy grade to level the high and low areas of Seven Spring Road surrounding the water pond at Schmidt Ranch at least four times per calendar year. The surrounding area of the pond is approximately a 0.5 mile loop.

A benefit to the County would result in reduced travel necessary to obtain water from another location, an approximate 22 mile round trip. In addition, by retrieving the water on site, the County is able to better address the PM-10 standards for dust containment. Supervisory District No. 2 (C-91-10-005-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**49. IGA WITH THE U.S. FOREST SERVICE, DEPARTMENT OF AGRICULTURE, TONTO NATIONAL FOREST FOR INSTALLATION OF SAFETY AND DRAINAGE RELATED IMPROVEMENTS**

Approve the Intergovernmental Agreement (IGA) between Maricopa County and the U.S. Forest Service, Tonto National Forest for the installation of safety and drainage related improvements to what is referred to as curve 3 of the Seven Springs Road on the Cave Creek Ranger District. The Tonto National Forest will reimburse the County for all costs associated with this project, at a total cost not-to-exceed \$88,000.00. The work must be completed by June 15, 2010.

The project, which is the installation of safety and drainage related improvements to Curve 3 of Seven Springs Road, consists of vertical curb and gutter, grouted rip-rap, and a guardrail end-terminal. The Forest Service will provide total reimbursement to Maricopa County, not to exceed \$88,000.00. The Project is expected to begin in 2009 and will be completed by June 15, 2010. Specific start dates are dependent on weather and crew availability. Supervisorial District No. 2 (C-91-10-007-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**50. ROAD ABANDONMENT (ROAD FILE NO. AB-221)**

Adopt Resolution AB-221 to abandon a portion of 194th Avenue in the vicinity of McDowell Road and 194th Avenue by extinguishing the easement which was conveyed to Maricopa County by means of a dedication of easement on April 20, 1956 and recorded by the Maricopa County Recorder as Docket 1882, Page 457. Supervisory District No. 4 (C-91-10-009-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**51. CONTRACT WITH PARSONS TRANSPORTATION GROUP, INC. FOR ON-CALL MANAGEMENT CONSULTANT SERVICES**

Approve Contract No. 2009-001 with Parsons Transportation Group, Inc. for On-Call Management Consultant Services in FY 2009-10 of the Maricopa County Department of Transportation's MAG ALCP Project No. T195, Northern Parkway SR303 to US 60 (Grand Avenue). This contract shall be effective for a period of one year from the Board of Supervisors' award date. The Consultant shall be paid a fee not-to-exceed \$4,000,000 per

year.

In accordance with the Intergovernmental Agreement (C-91-09-081-M-00) between Maricopa County, the City of El Mirage, the City of Glendale and the City of Peoria for improvements to Northern Parkway from SR 303 to US 60 (Grand Avenue) that was approved by the County Board of Supervisors on December 17, 2008, Maricopa County is designated as the Lead Agency for the project. As Lead Agency, the County is responsible for leading planning and programming efforts, facilitating coordination with the Maricopa Association of Governments "MAG", as well as issuing and managing design and construction contracts, including field engineering and inspection work.

The Northern Parkway Program is a component of the November 2003 Regional Transportation Plan Arterial Life Cycle Program, ALCP, approved for funding under Proposition 400, November 2, 2004. The Management Consultant duties include but not limited to the following:

**For the Proposed Northern Parkway Program, Parsons Transportation Group shall:**

- Develop Life Cycle Program for the NPP per FHWA requirements.
- Develop Major Project Program Cost Estimate per FHWA requirements.
- Develop Major Project Management Plan per FHWA requirements.
- Develop Project Financial Plan per FHWA requirements.
- Develop semi annual program certification.
- Update and maintain program cost estimates (for the semi annual Certification of Revenues and Costs) and evaluate their effects on cash flow and revenue projections.
- Establish MAG NPP construction segments costs and descriptions.
- Lead Design Issue Resolution Panel (DIRP) Meetings.
- Develop and maintain program delivery scheduling.
- Review segment designers construction cost estimate.
- Advise on program risk assessments.
- Provide Audit support.
- Provide other "full program" tasks.
- Coordinate with the Streets Program and the Transit Program.
- Complete, update, and maintain scoping and environmental documents as required
- Prepare project development process through 40%.
- Develop design segments.
- Identify and resolve segment issues prior to segment designer selection. Such issues will include utility relocations, right-of-way obstacles, environmental/cultural concerns, and local government/developer enhancements.
- Provide special studies, reports, and plans that will reduce the segment design duration.
- Prepare Scopes of Work for segment design contracts.
- Provide mapping of segment alignments to segment designers as needed.
- Develop schedules for each project.
- Develop construction segments and construction project sequencing with the intent to clear major utility obstructions prior to advertisement.
- Develop construction segments and construction project sequencing with the intent to economize system costs by developing an earthwork management plan.
- Report regularly on issues affecting design, R/W acquisition and construction budgets and schedules with respect to the Master Schedule.
- Maintain an appropriately staffed local office during the length of the contract. Coordination with MCDOT technical groups and outside agencies. These include Roadway/Drainage, Materials/Geotechnical, Environmental/Archaeological, Utilities/Railroad, Traffic, Right-of-Way, Structures/Hydrology, Survey, and Construction. In addition, coordination with county agencies, local governments, and public utilities shall be required. Federal agency coordination shall include the Federal Highway Administration as well as others. Non-technical coordination may involve MCDOT Administration, MCDOT Finance, MAG staff,

and transit agencies.

**Parsons Transportation Group may:**

Provide project manager(s) to MCDOT for managing segment designs.  
Provide supplemental staff to MCDOT technical groups for reviewing segments designs.  
Prepare utility agreements.  
Prepare major utility relocation designs.  
Prepare Joint Project Agreements (when applicable) with the local governments.  
Prepare Maintenance Agreements with the local governments.  
Provide support for the public involvement process.  
Provide involvement in daily issues of respective MC project design construction.  
Coordinate and/or provide designs for Intelligent Transportation System (ITS).  
Coordinate with future NAFTA and/or NHS issues.  
Prepare right-of-way plans and legal description.  
Provide Landscape Designs.  
Prepare final PS&E documents on their respective MC Projects.  
Provide Post Design Services on their respective MC Projects.  
Provide a Partnering/Public relations champion.  
Prepare Construction Management @ Risk and Design/Build Contracts.  
Prepare Design for Construction Management @ Risk contracts.  
Provide Project oversight for Design/Build.  
Provide Value Analysis for project segments.  
Review Development plans along the corridor and recommend technical requirements for permit issuance by appropriate jurisdictions. (C-91-10-012-5-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Air Quality**

#### **52. PROPOSED AMENDMENTS TO THE AIR POLLUTION CONTROL REGULATIONS**

Pursuant to A.R.S. §49-479(b), set a public hearing for September 16, 2009 to solicit comments and consider the adoption of proposed amendments to the following Maricopa County Air Pollution Control Regulations: Rule 317, Rule 321, Rule 360, Rule 370, Rule 371 and Appendix G. Upon Board approval, this item will become effective September 16, 2009.

Set a public hearing, as required by Arizona Revised Statutes (ARS) §49-479(b), for September 16, 2009, at 9:00 a.m. to solicit comments on proposed amendments to the following Maricopa County Air Pollution Control Regulations: Rule 317 – Hospital/Medical/Infectious Waste Incinerators, Rule 321 – Municipal Solid Waste Landfills, Rule 360 – New Source Performance Standards, Rule 370 – Federal Hazardous Air Pollutant Program, Rule 371 – Acid Rain, and Appendix G - Incorporated Materials. Following the public hearing, the Board is requested to adopt proposed amendments to Maricopa County Air Pollution Control Regulations Rules 317, 321, 360, 370, 371, and Appendix G. (C-85-10-004-7-00). **NOTE:** Prior to the vote, the Clerk added the following sentence to this item: Upon Board approval, this item will become effective September 16, 2009.



Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Planning and Development**

### **53. ZONING CASES**

Schedule Planning and Development public hearings on zoning cases and other matters for the August 19, 2009 meeting. (List is on file with the Clerk of the Board's Office.) (C-44-10-002-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **54. MARICOPA COUNTY DRAINAGE REGULATIONS FEE SCHEDULE REVISION**

Pursuant to A.R.S. § 11-251.08, set a public hearing for August 19, 2009, to solicit comments and consider the adoption of TA2008011, a proposal to amend the Fee Schedule for the Drainage Regulations of Maricopa County. The amended Drainage Regulation Fee Schedule is to be effective upon Board approval.

This amendment is to modify the existing fee structure to reflect current business practices and allow for recovery of fees for services. The Board continued this item indefinitely at the June 3, 2009, Board hearing.

An analysis of the cost for providing drainage has revealed that the current fee schedule does not allow for cost recovery of services rendered and that all fee categories for services are not provided under the Drainage Regulations.

A comparative analysis revealed that the proposed fees and categories are similar when benchmarked against other jurisdictions. (C-44-09-127-M-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Public Works**

- 55.** Set a public hearing to declare the following roads into the county highway system for 9:00 m, Wednesday, September 2, 2009.

**a. ROAD FILE NO. A378**

Road File No. A378, said alignment is also known as 3rd Street from Linda Lane to Honda Bow Road, lying within Supervisor District No. 3.

General Vicinity: 3rd Street from Linda Lane to Honda Bow Road, lying within Supervisor District No. 3. This action is in accordance with A.R.S. Title 28- 6701, 6702 and 6703. (C-91-10-006-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. ROAD FILE NO. A420**

Road File No. A420, said alignment is also known as 30th Drive from Olney Avenue to Elliot Road, lying within Supervisor District No. 5.

General Vicinity: 30th Drive from Olney Avenue to Elliot Road. This action is in accordance with A.R.S. Title 28- 6701, 6702 and 6703.  
Supervisory District No. 5 (C-91-10-008-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**CONSENT AGENDA**

**Clerk of the Board**

**56. APPOINTMENTS - CLERK OF THE COURT**

Pursuant to A.R.S. §12-283, approve the Official Appointment of Marie Antoinette Barone as Deputy Clerk of the Superior Court. (C-06-10-033-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**57. APPOINTMENTS - COUNTY OFFICERS**

Pursuant to A.R.S. § 11-401, -409, approve the official appointments of deputies, clerks, and assistants of County officers. List on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (C-06-10-034-9-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**58. DUPLICATE WARRANTS**

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-10-025-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**59. OFF-TRACK PARI-MUTUEL WAGERING PERMIT**

Pursuant to A.R.S. §5-111(A), approve a renewal request application filed by Turf Paradise for Off-Track Pari-mutuel Wagering Permit for Gavilan Peak Pizzeria, located at 46639 N. Black Canyon Highway, New River, AZ 85087 covering races beginning September 9, 2009 through May 31, 2012. (C-06-10-005-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**60. PRECINCT COMMITTEEMEN**

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-10-026-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**61. REDEMPTION OF WAIVERS FOR INDIVIDUALS AND ORGANIZATIONAL EXEMPTIONS**

Pursuant to A.R.S. §42-11153B, approve the redemption of waivers for individuals and organizations requesting exemptions for the 2009 tax year during the period of March 1, 2009 through July 17, 2009. Report is on file in the Clerk of the Board's Office. (C-06-10-029-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**62. SECURED TAX ROLL CORRECTIONS**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-10-030-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**63. SETTLEMENT OF PROPERTY TAX CASES**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated August 5, 2009. List is on file in the Clerk of the Board's Office. (C-06-10-035-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**64. STALE DATED WARRANTS**

Pursuant to A.R.S. §11-644 the Board of Supervisors finds that claims presented, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. List of claims is on file in the Clerk of the Board's Office. (C-06-10-031-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**65. TAX ABATEMENTS**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-10-032-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **BOARD OF SUPERVISORS ADDENDUM**

### **Adult Probation**

#### **A-1. AMERICAN RECOVERY AND REINVESTMENT ACT GRANT TO COMBAT NARCOTICS ACTIVITY FROM THE SOUTHERN BORDER**

Accept the grant funding through the American Recovery and Reinvestment Act of 2009 in the amount of \$ 685,993 from the Bureau of Justice Assistance to Maricopa County through its Department of Adult Probation for the fugitive apprehension unit to help combat narcotics activity from the southern border. The term of the grant is from July 1, 2009 through June 30, 2011. The Adult Probation Department's indirect rate for FY 2009-10 is 10.0%. The grant allows for full indirect cost recovery. Therefore, indirect costs estimated at \$62,363 are fully recoverable.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and, therefore, expenditures of these revenues are not prohibited by the budget law. (C-11-10-001-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Board of Supervisors**

#### **A-2. CERTIFICATION OF PERSONNEL FOR THE COUNTY'S COMPUTER NETWORK**

Authorize any actions necessary to ensure that County personnel are able to acquire appropriate certification to service the County's computer network, including the filing of any legal actions that may be necessary. This item was heard in executive session on August 3, 2009. (C-06-10-036-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Risk Management**

#### **A-3. CRUZ V. MARICOPA COUNTY ET. AL.**

Approve settlement in the amount of \$312,000.00 in the case Cruz v. Maricopa County, Superior Court No. CV2008-009800 (Claim No.: MM8201030128) and authorize the Risk Manager to sign any necessary settlement documents on behalf of the Chairman of the Board upon review and approval as to form by assigned legal counsel. This matter was discussed with the Board in Executive Session on August 3, 2009. (C-75-10-002-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Sheriff**

#### **A-4. AGREEMENT WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR THE 2008 HOMELAND SECURITY GRANT PROGRAM AWARD- HORSESHOE DAM**

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and the Maricopa County Sheriff's Office, for the 2008 Homeland Security Grant Program,

Award Number 444207-03 and acceptance of \$193,030.00 in grant funding for the 2008 Buffer Zone Protection Plan (BZPP) Horseshoe Dam. The purpose of this funding is to strengthen both the prevention and response to events that could occur in the vicinity of the dam and is part of an overall regional security plan.

A portion of this funding is specifically designated for the purchase of one 4X4 1-ton Crew Cab Pickup, a 24' box trailer, and a Pontoon Boat. The term of this award is September 1, 2008 through May 31, 2011. This funding was included in the Sheriff's Office grant budget submission as "Buffer Zone Protection" for FY2010.

Also approve an exemption to the Technology Finance Program (TFP) for the one-time purchase of specialty dive equipment designated by AZDOHS for this project.

The Sheriff's Office indirect cost rate for FY2010 is 16.6%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$3,884.40. There will be capital purchases associated with this grant that are not included in the indirect cost calculation. (C-50-10-006-G-00)

LeeAnn Bohn, Assistant Budget Director, responded to a question from Supervisor Stapley on status of this item, saying this item is seeking approval of a grant that includes the purchase of a new vehicle. She said the recommendation is to also continue this item until further analysis of the Sheriff's fleet is complete.

Motion was made by Supervisor Stapley to continue A-4 until an analysis on the need for this vehicle is completed.

Supervisor Kunasek asked Ms. Bohn if this is just for approval to apply for the grant. He commented that the County had ceased maintenance on the road by Horseshoe Dam four years ago and the roads are quite rugged now. He added he was not in favor of holding the item if it is just to approve the application.

Victoria Mangiapane explained that this item does accept the funding as well as apply for the grant. The funding here would pay for the truck, box trailer and Pontoon boat as outlined in the agenda item.

Supervisor Wilcox suggested approving this item with the qualification that it could not be unmarked and/or entered into the fleet as take-home until the Board approves its policy on this.

Motion to approve subject to not allowing the vehicle to be unmarked or used as a take-home vehicle until the study is complete and all is compliant with the Board's policy in effect at the time by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING RECESSED**

Chairman Wilson recessed the Board of Supervisors to reconvene as the Board of Directors of various Special Districts.

### **MEETING RECONVENED**

Chairman Wilson reconvened the Board of Supervisors.

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

66. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)

No member of the public came forward to comment at this meeting.

## **67. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS**

Supervisor Wilcox mentioned the Board's escalating activity with the Councils and Boards of local Native American communities during the past two years. One of the projects was the installation of a traffic light and she said this light was installed yesterday. She felt this was the first of many joint projects that would be done together in the future. She thanked MCDOT for their help and cooperation in the matter.

Supervisor Wilcox also commented on the 50th Anniversary celebration of the Flood Control District that she and Chairman Wilson attended, as did many people who had worked at the District over the years. She reminded the community of the many good things the Flood Control District has done.

Chairman Wilson said it is also an anniversary for the founding of the Coast Guard and he thanked that organization and all who defend America actively for all they do.

\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning\*\*\*

David Smith and Victoria Mangiapane left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Wayne J. Peck, Deputy County Attorney, came forward to present the following Planning and Zoning cases.

## **PLANNING AND ZONING AGENDA**

### **REGULAR AGENDA**

#### **1. SPECIAL USE PERMIT - BRITT FARM WCF**

Case Number:	Z2006083
Supervisory District:	5
Applicant:	Quinn United Services on behalf of AT&T Mobility for Kendall & Elizabeth Britt
Location:	East of Avondale Blvd. and south of Southern Ave. at 6247 S. Avondale Blvd. (in the Avondale area)
Request:	Special Use Permit (SUP) for a Wireless Communication Facility – 80' high monopole stealth designed as a pine tree, or "monopine", with potential for three antenna arrays - in the Rural-43 zoning district and in Wireless Communication Facility Use District 1
Commission	By a vote of 5-1, recommended Approval subject to staff recommended stipulations

Action: "a" – "t".

**This item was continued from the June 3, 2009 meeting. (C-44-09-142-7-00)**

Supervisor Wilcox said this item is a continuing work-in-progress and asked for an additional month in which to reach a final determination on this matter.

Joy Rich, Assistant County Manager, came forward to say the applicant asked that it be continued to the December 2, 2009, meeting and Supervisor Wilcox complied.

Motion to continue to the December 2, 2009, meeting by: Supervisor Wilcox, Seconded by: Supervisor Stapley

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned at 9:23 a.m.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **IMPROVEMENT DISTRICT ADDENDUM**

The Board of Directors of the Improvement District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, August 05, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **IA-1. BUDGET CORRECTION FOR COLDWATER RANCH STREET LIGHTING IMPROVEMENT DISTRICT**

Approve a correction to the action taken by the Board on June 22, 2009 (C49-09-064-2-01) to the Fiscal Year 2009-10 Budget for the County Improvement Districts to include the Coldwater Ranch Street Lighting Improvement District in the FY2009-10 Budget Schedule entitled "Street Lighting Improvement District Levies." This action also adopts the tentative budget for Coldwater Ranch Street Lighting Improvement District for FY2009-10 in the amount of \$16,269; and sets a public hearing for August 17, 2009, to adopt the final budget.

Complete description of action requested:

The Arizona Public Service (APS) June billing for Coldwater Ranch Street Lighting Improvement District, which includes installation and start up costs for the new district, was not received prior to the submission of the Fiscal Year 2009-10 Budget for the County Improvement Districts. The district has been eligible for taxation since the 2008 tax year. The estimated budget for Fiscal Year 2009-10 is \$16,269. (C-49-09-064-2-02)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board



## **FLOOD CONTROL DISTRICT AGENDA**

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, August 05, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-10-027-7-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **F-2. PERSONNEL AGENDA FOR THE FLOOD CONTROL DISTRICT**

Approve the Personnel Agenda for the Flood Control District for the period of January 3, 2009 to July 15, 2009 consistent with the agenda item C-49-07-038-6-00 approved on April 18, 2007. The personnel agenda is on file in the Office of the Clerk of the Board. (C-49-10-004-6-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **F-3. SOSSAMAN ROAD MAINTENANCE BRIDGE AGREEMENT WITH SOSSAMAN & GUADALUPE PLAZA, LLC**

Approve the Sossaman Road Maintenance Agreement between the Sossaman & Guadalupe Plaza, LLC and the Flood Control District of Maricopa County (District) for bridge road maintenance. The property that the bridge will be constructed on is Assessor's Parcel Number 304-05-014J. The nearest cross roads are Sossaman Road and Guadalupe Road. The Sossaman Road Maintenance Bridge Agreement will finalize the construction and maintenance obligations of the bridge. The District will have no maintenance obligations related to this bridge.

The District owns property which includes a channel that was constructed for flood control purposes. In the acquisition of this parcel, the District agreed that the property owner could construct a bridge over the channel to preserve the access to the remainder of their property.

The property owner reserved an easement (Maricopa County Recorder #930783743 on November 12, 1993) across the District property. At a later date, when the bridge was ready to be constructed, an Agreement would be set in place to build the bridge and establish maintenance protocol. This item is located in Supervisory District No. 1 (C-69-10-003-8-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-4. AMENDMENT TO AGREEMENT FOR EL RIO EDUCATIONAL RESEARCH AND DEVELOPMENT PILOT PROJECT**

Approve Amendment No. 4 FCD 2004G001D General Agreement (Federal Cooperative Agreement #05FC320380) for the El Rio Educational Pilot Projects (Project) between the U.S. Department of Interior Bureau of Reclamation (Reclamation) and the Flood Control District of Maricopa County (District), which identifies the roles and responsibilities for the Project. This Amendment is an increase in the Reclamation's direct Project contribution from \$237,526 to \$252,526. The terms of the Agreement remain unchanged and will expire on September 30, 2010.

Salt cedar, also known as tamarisk, is an invasive exotic species growing throughout the Gila River in the El Rio Watercourse Master Plan (El Rio WCMP) study area. Removing salt cedar from the Gila River could improve the conveyance capacity for storm water and might reduce the size of the current 100-year floodplain. Removal of salt cedar or other vegetation within Waters of the United States (WUS) is considered a regulated activity and requires a Clean Water Act (CWA) Section 404 permit. Although salt cedar can hinder flood flows, the salt cedar stands provide food and cover for insects, birds, mammals and reptiles.

Replacing the removed salt cedar community with vegetation that is more hydraulically efficient and ecologically diverse would be appropriate and beneficial mitigation. Thus, the purpose of the Project is to establish effective techniques to replace salt cedar with vegetation that improves flood conveyance and biological diversity within the Gila River. This Project is located in Supervisory Districts 4 and 5. (C-69-05-132-3-04)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-5. IGA WITH CITY OF SURPRISE FOR CANDIDATE ASSESSMENT REPORT FOR THE HAPPY VALLEY DRAINAGE IMPROVEMENTS PROJECT**

Approve Intergovernmental Agreement (IGA) FCD 2008A015 Candidate Assessment Report for the Happy Valley Drainage Improvements Project, between the City of Surprise (City) and the Flood Control District of Maricopa County (District). This IGA is for cost sharing of the Candidate Assessment Report (CAR) to study and further refine the design concept for the regional 100-year drainage system currently recommended in the Wittmann Area Drainage Master Plan (ADMP).

The estimated cost for the CAR under this IGA is \$114,093 and will be shared equally by the City and the District, with the District's share estimated to be \$57,047. The IGA shall become effective when executed by both parties and shall expire five years from date of recording by the Maricopa County Recorder.

The recommended project will potentially provide flood protection to properties downstream of the Happy Valley Alignment from flooding caused by 100-year flows; mitigate existing floodplains in the area; and provide a regional drainage outfall for this area along the Happy Valley Alignment from approximately 163rd to El Mirage Road. This Project is in Supervisor District 4. (C-69-10-005-3-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **LIBRARY DISTRICT AGENDA**

The Board of Directors of the Library District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, August 05, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **L-1. PERSONNEL AGENDA FOR THE LIBRARY DISTRICT**

Approve the Personnel Agenda for the Library District for the period of January 3, 2009 to July 15, 2009 consistent with the agenda item C-49-07-038-6-00 approved on April 18, 2007. The personnel agenda is on file in the Office of the Clerk of the Board. (C-49-10-003-6-00)

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **L-2. DONATIONS TO THE LIBRARY DISTRICT**

Approve and accept the following donations: Outside bookdrop to replace old one at Southeast Regional Library valued at \$4,339.88 donated by the Friends of the Southeast Regional Library. Cash in the amount of \$645.00 to the Ed Robson Branch and \$645.00 to the Guadalupe Branch for the Summer Reading Program from the New Friends of the Maricopa Library District, Inc.; \$4,960.00 to the Litchfield Park Branch for the Summer Reading Program from the Friends of the Litchfield Library; \$25,000.00 to the Southeast Regional Library and \$2,500.00 to the Perry Branch for the Summer Reading Program from the Friends at the Southeast Regional Library. Total value of products is \$4,339.88 and total cash is \$33,750.00.

The theme for the 2009 Summer Reading Program is "Be Creative at Your Library." Donations from Friends of the Library from the branches allows each child that completes the program to take home a new book appropriate for their age level. (C-65-10-001-D-00)

Supervisor Brock thanked the Friends of the Library working in the southeast for their donations and also in volunteering their help. He also commented on a new youth reading program implemented by the Library District and the outside help it has received in making it so successful.

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

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Max W. Wilson, Chairman of the Board

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Fran McCarroll, Clerk of the Board

## **STADIUM DISTRICT AGENDA**

The Board of Directors of the Stadium District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, August 05, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **S-1. PERSONNEL AGENDA FOR STADIUM DISTRICT**

Approve the Personnel Agenda for the Stadium District for the period of January 3, 2009 to July 15, 2009 consistent with the agenda item C-49-07-038-6-00 approved on April 18, 2007. The personnel agenda is on file in the Office of the Clerk of the Board. (C-49-10-005-6-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Official Record Keeper